

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
JUN 16 2009
CLERK, U.S. DISTRICT COURT
By [Signature]
Deputy

UNITED STATES OF AMERICA)
)
VS.)
)
ROBBIE MICHELLE BOSWELL)

CASE NO.: 3:08-CR-326-K (01)

REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY

ROBBIE MICHELLE BOSWELL, by consent, under authority of United States v. Dees, 125 F.3d 261 (5th Cir. 1997), has appeared before me pursuant to Fed. R. Crim.P. 11, and has entered a plea of guilty to Count 2 of the Superseding Indictment filed on May 6, 2009. After cautioning and examining the Defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea for Count 2 was knowledgeable and voluntary and that the offense(s) charged is supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty to Count 2 and be accepted and that Defendant be adjudged guilty and have sentence imposed accordingly. However, the Court finds there is **not a factual basis** to support a guilty plea for Count 3, and recommends that her plea of Guilty to Count 3 of the superseding indictment not be accepted.

Date: June 16, 2009

[Signature]
PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE

NOTICE

Failure to file written objections to this Report and Recommendation within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).